



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2015-11

Petition of Yu Zhu & Zhao Qu

8 Fairbanks Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 5, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of YU ZHU & ZHAO QU requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story addition with less than required left and right side yard setbacks, on an existing nonconforming structure with less than required left yard, right yard and front yard setbacks, with less than required frontage, on a 6,680 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 8 FAIRBANKS AVENUE, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 20, 2015, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Yu Zhu and Zhao Qu, (the Petitioner).

Ms. Qu said that the request is to extend to the back of the original house. She said that it is a small house with no family room. She said that they need a powder room on the first floor, where they spend most of their time. She said that she has had some knee problems recently and this would help. She said that the requested relief is for the side setback.

The Board said that the nonconformities are lot size, left, right and front yard setbacks, and frontage.

A Board member said that this is the first floor plan that he has seen labeled with a tea room and he thought that it was quite nice. He said that the existing house has a hip roof that has a break in it. He said that the addition does not. He said that it looks like the addition has been pasted on. He said that the addition could have a hip roof that would be in the same family architecturally. He said that is something to consider but it is not a zoning issue. He said that he was not sure what else could be done on these small lots.

There was no one present at the public hearing who wished to speak to the petition.

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Statement of Facts

The subject property is located at 8 Fairbanks Avenue, on a 6,680 square foot lot in a district in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 27.86 feet, a minimum left side yard setback of 8.48 feet, a minimum right side yard setback of 14.03 feet, and less than required frontage.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story addition with less than required left and right side yard setbacks, on an existing nonconforming structure with less than required left yard, right yard and front yard setbacks, with less than required frontage, on a 6,680 square foot lot in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 1/12/15, stamped by Dennis O'Brien, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/2/14, prepared by The Architects Forum Inc., and photographs were submitted.

On January 29, 2015, the Planning Department Staff reviewed the petition and recommended that the petition be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that although construction of a two-story addition with less than required left and right side yard setbacks, on an existing nonconforming structure with less than required left yard, right yard and front yard setbacks, with less than required frontage, on a 6,680 square foot lot in a district in which the minimum lot size is 10,000 square feet is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a two-story addition with less than required left and right side yard setbacks, on an existing nonconforming structure with less than required left yard, right yard and front yard setbacks, with less than required frontage, on a 6,680 square foot lot in a district in which the minimum lot size is 10,000 square feet, in accordance with the submitted plot plan and construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


J. Randolph Becker, Acting Chairman

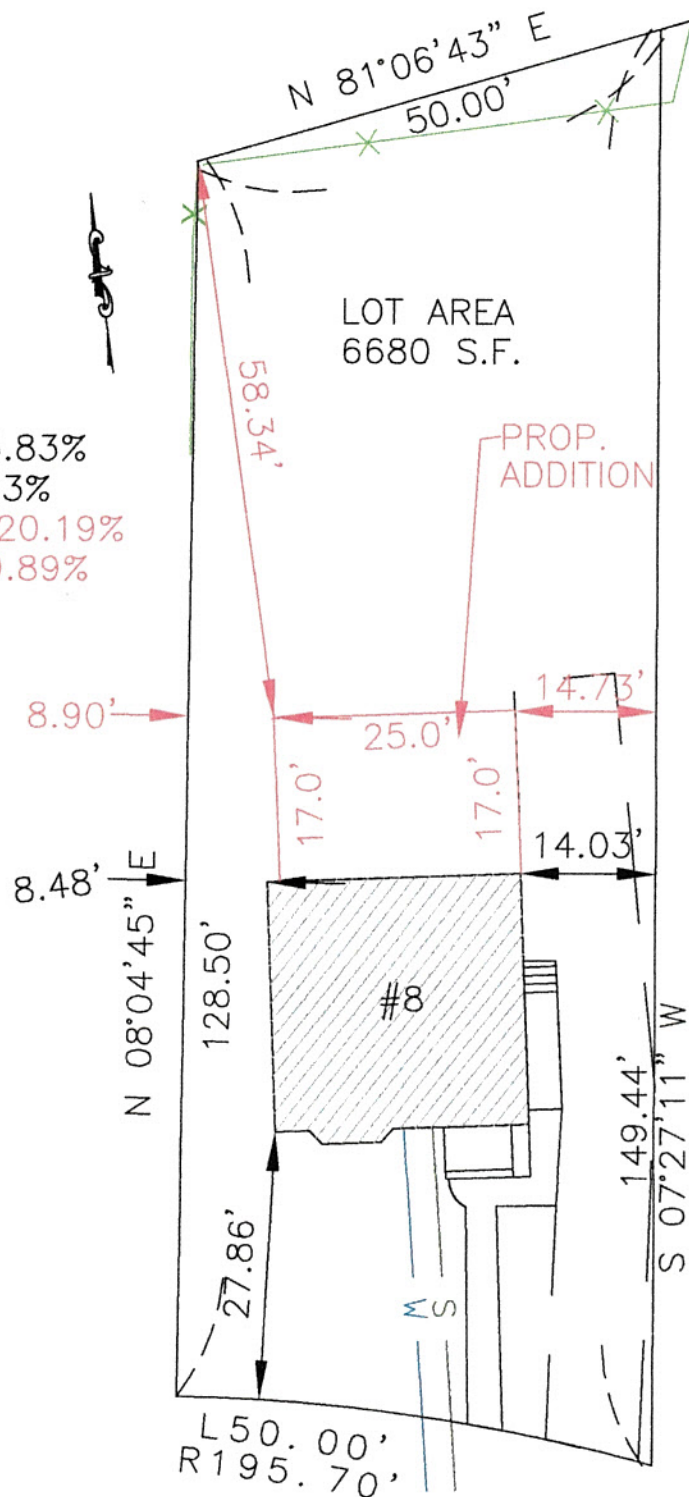

David G. Sheffield


Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

EXISTING LOT COVERAGE: 13.83%
 EXISTING OPEN SPACE: 86.23%
 PROPOSED LOT COVERAGE: 20.19%
 PROPOSED OPEN SPACE: 79.89%

EXISTING HOUSE: 701 S.F.
 PROP. ADDITION: 425 S.F.



Dennis O'Brien

Dennis O'Brien

P.L.S.



D. O'BRIEN
 LAND SURVEYING

EST. 1996
 31 HAYWARD STREET UNIT 3-G
 FRANKLIN, MA 02038 508-541-0048

PLAN SHOWING PROPOSED ADDITION
 8 FAIRBANKS AVE
 WELLESLEY, MA NORFOLK COUNTY

SCALE:
1:20

DATE:
1/12/2015

REVISED:

DRAWN BY:
M.W.

CHECKED BY:
D.O.